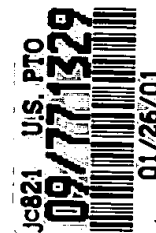


#2

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Application No.: Unknown

Filing Date: Herewith

Applicant: Welbourne

Group Art Unit: Unknown

Examiner: Unknown

Title: **WEB-BASED SYSTEM AND METHOD FOR  
ORGANIZATIONAL PERFORMANCE ANALYSIS**

Attorney Docket: 4849-000001

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Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. **COPIES**

a. X Submitted herewith is a legible copy of (i) each U.S. patent application publication, U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which

caused it to be listed including the claims directed to that portion and (iv) all other information or that portion which caused it to be listed.

b. \_\_\_\_ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language (concise explanation not required).

b. \_\_\_\_ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

c. \_\_\_\_ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

a. \_\_\_\_ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

a. X 37 C.F.R. § 1.97(b): (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. \_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. \_\_\_\_ before the mailing of a first Office action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. \_\_\_\_ before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

b. \_\_\_\_ 37 C.F.R. § 1.97(c): (check only one box)

- before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. \_\_\_\_ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. \_\_\_\_ See the certification below. No fee is required.

c. \_\_\_\_ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. \_\_\_\_ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

a. \_\_\_\_ each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)); or

b. \_\_\_\_ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of

information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

c.\_\_\_\_ Some of the items of information were first cited in any communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check only one box)

a.\_\_\_\_ A check in the amount of \$180.00 is enclosed for the above-identified fee.

b.\_\_\_\_ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: January 26, 2001  
HARNES, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

By: John A. Miller  
John A. Miller, Reg. No. 34,985  
Christopher A. Eusebi, Reg. No. 44,672

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 1 of 1	ATTORNEY DOCKET NO.	SERIAL No.
	4849-000001	Unknown
	APPLICANT	
	Welbourne	
	FILING DATE	GROUP
	Herewith	Unknown

01/25/01  
 09/27/98  
 0821 USPTO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		Sales literature by Valour Inc., "Weekly Pulse" survey, Copyright: Theresa M. Welbourne, Ph.D., 1998, 4 pages
2.		Sales literature "Annual Survey VS. Valour Pulse", Copyright: Valour 1998, 2 pages
3.		Employee Assistance Program Management Letter by American Business Publishing, "Innovative Program To Measure "Corporate Vital Signs" Can Identify Trouble Spots for EAPs", Vol. XII, No. 7, September, 1998, 2 pages
4.		Human Resource Management News by Remy Publishing Company, "EMPLOYEE ATTITUDES: Checking "Vital Signs"", February 23, 1998, 1 page
5.		Sales literature, "How Much is Your Company Wasting on Its Employee Survey?", by Theresa M. Welbourne, Ph.D, 8 pages
6.		By permission of Entrepreneur Magazine, "Vital Signs - Have you taken your business pulse lately?", by Heather Page, July, 1998, 1 page
7.		Computerworld, "Technology Keeps Tabs on Stress" by Tim Ouellette, April 20, 1998, Vol. 32, Number 16, 1 page
8.		Journal of Strategic Performance Measurement, "Improving Technology-Based Change Processes: A Case Study on Indus International" by Theresa M. Welbourne and Robert W. Felton, April/May 1998, pages 22-25
9.		Reprinted from The Wall Street Journal by Dow Jones Journal Reprints, "The Front Lines" (Bob Felton Hates Bureaucracy, Loves A Staff That Talks) by Thomas Petzinger Jr., January 10, 1997, 1 page

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.